

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 5441, Department of Homeland Security Appropriations.

The House passed H.R. 9—Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

## Senate

### Chamber Action

*Routine Proceedings, pages S7451–S7544*

**Measures Introduced:** Eleven bills and three resolutions were introduced, as follows: S. 3651–3661, S. Res. 528–529, and S. Con. Res. 109. **Page S7511**

#### Measures Reported:

H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute. (S. Rept. No. 109–280)

S. 3660, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2007. (S. Rept. No. 109–281)

S. 418, to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products, with an amendment in the nature of a substitute. (S. Rept. No. 109–282)

H.R. 1036, To amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges, with an amendment.

**Page S7511**

#### Measures Passed:

**Homeland Security Appropriations:** By a unanimous vote of 100 yeas (Vote No. 203), Senate passed H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, after taking action on the following amendments proposed thereto:

**Pages S7455–S7504**

#### Adopted:

Gregg (for Allard) Amendment No. 4633, to require the Assistant Secretary for Immigration and Customs Enforcement of the Department of Homeland Security to submit a report on the costs and need for establishing a sub-office in Greeley, Colorado. **Pages S7470–72**

Gregg (for Murray) Amendment No. 4640, to direct funds to construct radiological laboratories at the Pacific Northwest National Laboratory.

**Pages S7470–72**

Gregg (for Landrieu) Amendment No. 4648, to require a report on the location of Coast Guard facilities and assets in the Federal City Project in New Orleans, Louisiana. **Pages S7470–72**

Gregg (for Murray) Amendment No. 4639, to provide that funds appropriated for United States Coast Guard Acquisition, Construction, and Improvement may be used to acquire law enforcement patrol boats. **Pages S7470–72**

Gregg (for Levin) Amendment No. 4617, to ensure that methodologies and technologies used by the Bureau of Customs and Border Protection to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport. **Pages S7470–72**

Gregg (for Voinovich) Modified Amendment No. 4594, to increase appropriations for emergency management performance grants. **Pages S7470–72**

Gregg (for Lott) Modified Amendment No. 4570, to require the Secretary of Homeland Security Inspector General to investigate the conduct of insurers

in settling certain claims resulting from Hurricane Katrina. **Pages S7470–72**

Feinstein Amendment No. 4556, to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or, with reckless disregard, permitting the construction or use on one's land, of a tunnel or subterranean passageway between the United States and another country and to direct the United States Sentencing Commission to modify the sentencing guidelines to account for such prohibition. **Pages S7455, S7470–72**

Gregg (for Stabenow) Amendment No. 4657, to provide collections and expenditures for the Customs User Fee Account. **Pages S7475–78**

Gregg (for Obama) Modified Amendment No. 4573, to assist individuals displaced by a major disaster in locating family members. **Pages S7475–78**

Gregg (for Dodd/DeWine) Modified Amendment No. 4626, to increase appropriations for firefighter assistance grants. **Pages S7475–78**

Gregg (for Cantwell) Amendment No. 4636, to provide for interoperable communications systems planning in connection with the 2010 Olympics. **Pages S7475–78**

Gregg (for Lautenberg/Menendez) Amendment No. 4653, to require the Secretary of Homeland Security to submit a classified report to Congress on the security vulnerabilities of the bridges and tunnels connecting New Jersey to New York City. **Pages S7475–78**

Reed Amendment No. 4613, to limit the reduction in operations within the Civil Engineering Program of the Coast Guard. **Page S7488**

Dayton Amendment No. 4663, to increase the amount appropriated for United States Customs and Border Protection salaries and expenses by \$44,000,000 to place an additional 236 border patrol agents along the Northern Border and to fully offset that amount with corresponding reductions in the appropriations for administrative travel and printing. **Pages S7488–89**

Gregg (for Dayton) Amendment No. 4618, to prohibit the use of appropriated funds to take an action that would violate Executive Order 13149 (relating to greening the government through Federal fleet and transportation efficiency). **Pages S7494–96**

Gregg (for Durbin) Amendment No. 4616, to provide funding for mass evacuation exercises. **Pages S7494–96**

Gregg (for Warner) Amendment No. 4578, to increase funding for the Office of National Capital Region Coordination. **Pages S7494–96**

Gregg (for Feingold) Amendment No. 4592, to require the Under Secretary of Transportation for Transportation Security to assist in the coordination

of the voluntary provision of emergency services during commercial flights. **Pages S7494–96**

Gregg (for Boxer) Modified Amendment No. 4638, to direct the Director of the Federal Emergency Management Agency in conjunction with the Director of the National Institute of Standards and Technology to submit a record outlining Federal earthquake response plans for high risk earthquake regions in the United States. **Pages S7494–96**

Gregg (for Pryor) Modified Amendment No. 4642, to increase funding for technical assistance. **Pages S7494–96**

Gregg (for Durbin) Modified Amendment No. 4619, to require the Secretary of Homeland Security to establish procedures for expeditiously clearing individuals whose names have been mistakenly placed on the Transportation Security Administration Watch List. **Pages S7494–96**

Gregg (for Carper) Modified Amendment No. 4635, to provide airlines with technical assistance for coordinating reservations and ticketing with the Transportation Security Administration Watch List. **Pages S7494–96**

Gregg (for Specter/Mikulski) Modified Amendment No. 4550, to address funding for high-threat nonprofit organizations. **Pages S7494–96**

Gregg (for Obama/Coburn) Modified Amendment No. 4624, to provide that none of the funds appropriated or otherwise made available for expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act may be used to enter into non-competitive contracts based upon the unusual and compelling urgency exception under Federal contracting law unless the contract is limited in time, scope, and value as necessary to respond to the immediate emergency. **Pages S7494–96**

Gregg (for Lautenberg) Modified Amendment No. 4661, to provide, with an offset, an additional \$5,000,000 for Operating Expenses for the Coast Guard for the National Capital Region Air Defense mission of the Coast Guard. **Pages S7494–96**

Gregg (for Baucus) Amendment No. 4669, to express the sense of the Senate that Customs and Border Protection should continue to focus on reporting and analysis of trade flows to prevent the spread of methamphetamine. **Pages S7496–97**

Gregg (for Kyl) Amendment No. 4670, to increase the total number of Department of Homeland Security additional detention bed spaces by 1,700 beds in fiscal year 2007. **Pages S7496–97**

Gregg (for Schumer) Amendment No. 4671, to require the Secretary of Homeland Security to submit a report to Congress addressing its compliance with the recommendations from the July 6, 2006 Inspector General Report "Progress in Developing the National Asset Database". **Pages S7496–97**

Gregg (for Grassley/Nelson (FL)) Amendment No. 4672, to require the Inspector General of the Department of Homeland Security to review each Secure Border Initiative contract valued at more than \$20,000,000 and to report the findings of such reviews to the Secretary of Homeland Security and to Congress.

**Pages S7496–97**

Gregg (for Levin/Stabenow) Amendment No. 4673, to provide that, of the amount appropriated by title VI for Customs and Border Protection for air and marine interdiction, operations, maintenance, and procurement, such funds as are necessary may be available for the final Northern border air wing site in Michigan.

**Pages S7496–97**

By 84 yeas to 16 nays (Vote No. 202), Vitter Modified Amendment No. 4615, to prohibit the confiscation of a firearm during an emergency or major disaster if the possession of such firearm is not prohibited under Federal or State law.

**Pages S7455, S7458, S7489–94, S7497**

Gregg (for Biden/Carper) Amendment No. 4608, to require passenger and baggage screeners at New Castle Airport in Wilmington, Delaware as long as commercial air service is provided at that airport.

**Pages S7497–98**

Gregg (for Coleman/Schumer) Modified Amendment No. 4574, to provide funding for an integrated scanning system for ports.

**Pages S7497–98**

Boxer Amendment No. 4674, to prohibit the use of certain funds for travel by officers or employees of the Department of Homeland Security until the Under Secretary for Preparedness has implemented the recommendations in the report by the Inspector General of the Department of Homeland Security titled "Progress in Developing the National Asset Database", dated June 2006.

**Page S7498**

Gregg (for Domenici) Modified Amendment No. 4598, to expand the responsibilities of the National Infrastructure Simulation and Analysis Center in the Department of Homeland Security.

**Page S7498**

Gregg (for Chambliss) Modified Amendment No. 4649, to require the Secretary of Homeland Security and Measurements (NCRP) in preparing guidance and recommendations for protecting emergency responders, recovery networks, and the general public from radiological terrorism, threats, and events.

**Pages S7498–99**

Clinton Modified Amendment No. 4582, to prohibit the Assistant Secretary of Homeland Security (Transportation Security Administration) from removing any item from the current list of items prohibited from being carried aboard a passenger aircraft.

**Pages S7474, S7475, S7499**

Rejected:

By 36 yeas to 64 nays (Vote No. 198), Menendez Modified Amendment No. 4634, to provide that ap-

propriations under this Act may not be used for the purpose of providing certain grants, unless all such grants meet certain conditions for allocation.

**Pages S7455, S7464–70, S7472, S7484–85, S7485–86, S7487**

By 29 yeas to 71 nays (Vote No. 200), Sessions/Ensign Modified Amendment No. 4659, to appropriate an additional \$1,829,400,000 to construct double-layered fencing and vehicle barriers along the southwest border and to offset such increase by reducing all other discretionary amounts on a pro-rata basis.

**Pages S7478, S7478–83, S7485**

By 34 yeas to 66 nays (Vote No. 201), Sessions/Ensign Modified Amendment No. 4660, to appropriate an additional \$85,670,000 to enable the Secretary of Homeland Security to hire 800 additional full time active duty investigators to investigate immigration laws violations and to offset such increase on a pro-rata basis.

**Pages S7478, S7483, S7484, S7485, S7487–88**

Withdrawn:

Thune/Talent Amendment No. 4610, to establish a program to use amounts collected from violations of the corporate average fuel economy program to expand infrastructure necessary to increase the availability of alternative fuels.

**Pages S7455, S7483–84**

During consideration of this measure today, the Senate also took the following action:

By 38 yeas to 62 nays (Vote No. 197), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, as made effective by Section 7035(a) of P.L. 109–234, with respect to Dodd/Stabenow Amendment No. 4641, to fund urgent priorities for our Nation's firefighters, law enforcement personnel, emergency medical personnel, and all Americans by reducing the tax breaks for individuals with annual incomes in excess of \$1,000,000. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

**Pages S7458–62**

Chair sustained a point of order against Kyl Amendment No. 4643, to increase the number of Department of Homeland Security detention bed spaces by 6,700 beds in FY 2007, as being in violation of rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell.

**Pages S7456–58, S7463**

Chair sustained a point of order against Santorum/Kyl Amendment No. 4575, to increase the number of border patrol agents to 2,500 agents, and offset by increasing the availability of reverse mortgages for seniors, as being in violation of rule XVI of the

Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. **Pages S7455–56**

By 46 yeas to 54 nays (Vote No. 199), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402 of H. Con. Res. 95, Congressional Budget Resolution for Fiscal Year 2006, with respect to the emergency designation provision in Schumer Amendment No. 4600, to increase appropriations for disaster relief. Subsequently, a point of order that the emergency designation provision would violate section 402 of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point of order that the amendment would exceed the subcommittee's 302(b) allocation, as made effective by section 7035(a) of P.L. 109–234, and the amendment thus fell.

**Pages S7472–74, S7474–75, S7486–87**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Cochran, Stevens, Specter, Domenici, Shelby, Craig, Bennett, Allard, Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Reid, and Feinstein. **Page S7504**

**Historically Black Colleges and Universities:** Senate agreed to S. Res. 528, designating the week beginning on September 10, 2006, as "National Historically Black Colleges and Universities Week".

**Pages S7538–39**

**National Summer Learning Day:** Senate agreed to S. Res. 529, designating July 13, 2006, as "National Summer Learning Day". **Page S7539**

**Commending Canada:** Senate agreed to S. Con. Res. 109, commending the Government of Canada for its renewed commitment to Afghanistan.

**Pages S7539–40**

**Improving Outcomes for Children Affected by Meth Act:** Senate passed S. 3525, to amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, after agreeing to the following amendment proposed thereto:

**Pages S7540–43**

Frist (for Grassley/Baucus) Amendment No. 4675, to make certain revisions to the bill. **Page S7540–43**

**Public Health Service Act Amendment—House Message:** Senate concurred in the amendment of the House of Representatives to S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control

and Prevention, clearing the measure for the President. **Page S7531**

**Carl D. Perkins Career and Technical Education Improvement Act—House Message:** Senate disagreed to the House amendments to S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Enzi, Gregg, Frist, Alexander, Burr, Isakson, DeWine, Ensign, Hatch, Sessions, Roberts, Kennedy, Dodd, Harkin, Mikulski, Jeffords, Bingaman, Murray, Reed, and Clinton.

**Pages S7531–38**

**Stem Cell Research Legislation—Agreement:** A unanimous-consent-time agreement was reached providing that at 12:30 p.m. on Monday, July 17, 2006, Senate begin consideration of S. 3504, to amend the Public Health Service Act to prohibit the solicitation or acceptance of tissue from fetuses gestated for research purposes, S. 2754, to derive human pluripotent stem cell lines using techniques that do not knowingly harm embryos, and H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research; that the time until 8:30 p.m. rotate every half hour between the majority and minority; provided further, that on Tuesday, July 18, 2006, Senate continue consideration of the bills at 10 a.m. until 3:45 p.m., when the Senate will proceed to three consecutive votes as provided under the order of June 29, 2006.

**Page S7531**

**Nominations Received:** Senate received the following nominations:

Christopher A. Padilla, of the District of Columbia, to be an Assistant Secretary of Commerce.

Calvin L. Scovel, of Virginia, to be Inspector General, Department of Transportation.

Richard W. Graber, of Wisconsin, to be Ambassador to the Czech Republic.

Cindy Lou Courville, of Virginia, to be Representative of the United States of America to the African Union, with the rank of Ambassador.

Sara Elizabeth Lioi, of Ohio, to be United States District Judge for the Northern District of Ohio.

Nora Barry Fischer, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

**Pages S7543–44**

**Messages From the House:** **Page S7509**

**Measures Referred:** **Page S7509**

**Measures Placed on Calendar:** **Page S7509**

**Executive Communications:** **Pages S7509–11**

**Executive Reports of Committees:** **Page S7511**

Additional Cosponsors:	Pages S7512–13
Statements on Introduced Bills/Resolutions:	Pages S7513–25
Additional Statements:	Pages S7507–09
Amendments Submitted:	Pages S7525–30
Notices of Hearings/Meetings:	Page S7530
Authorities for Committees to Meet:	Pages S7530–31
Privileges of the Floor:	Page S7531
Record Votes: Seven record votes were taken today. (Total—203)	
	Pages S7462, S7486, S7487, S7487–88, S7497, S7504

**Adjournment:** Senate convened at 9 a.m., and adjourned at 7:51 p.m., until 9:45 a.m., on Friday, July 14, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7543.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported the following bills:

H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute; and

An original bill (S. 3660), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2007.

### HAMDAN V. RUMSFELD

*Committee on Armed Services:* Committee concluded a hearing to examine military commissions in light of the Supreme Court decision in *Hamdan v. Rumsfeld*, after receiving testimony from Major General Scott C. Black, USA, Judge Advocate General, and Major General Thomas J. Romig, USA (Ret.), former Judge Advocate General, both of the U.S. Army; Rear Admiral James E. McPherson, USN, Judge Advocate General, and Rear Admiral John D. Hutson, USN (Ret.), former Judge Advocate General, both of the U.S. Navy; Major General Jack L. Rives, USAF, Judge Advocate General of the Air Force; and Brigadier General Kevin M. Sandkulher, USMC, Staff Judge Advocate to the Commandant of the Marine Corps.

### BUSINESS MEETING

*Committee on the Budget:* Committee ordered favorably reported the nomination of Stephen S. McMillin, of Texas, to be Deputy Director of the Office of Management and Budget.

### UNMANNED AIRCRAFT SYSTEMS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine unmanned aerial systems in Alaska and the Pacific regions as a framework for the United States, after receiving testimony from Vice Admiral Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary of Commerce for Oceans and Atmosphere, Administrator, National Oceanic and Atmospheric Administration; Nicholas Sabatini, Associate Administrator for Aviation Safety, Federal Aviation Administration, Department of Transportation; Rear Admiral Wayne Justice, Assistant Commandant for Response, U.S. Coast Guard, Department of Homeland Security; and John W. Madden, Alaska Department of Homeland Security, Anchorage.

### REFINERY PERMIT PROCESS SCHEDULE ACT

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine H.R. 5254, to set schedules for the consideration of permits for refineries, after receiving testimony from Robert J. Meyers, Associate Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Glenn McGinnis, Arizona Clean Fuels Yuma, LLC, Phoenix; and S. William Becker, on behalf of the State and Territorial Air Pollution Program Administrators, and the Association of Local Air Pollution Control Officials, and Bob Slaughter, National Petrochemical and Refiners Association, both of Washington, D.C.

### PARTICULATE MATTER AIR QUALITY STANDARDS

*Committee on Environment and Public Works:* Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded a hearing to examine the Environmental Protection Agency's proposed revisions to the particulate matter air quality standards, after receiving testimony from William Wehrum, Acting Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Bebe Heiskell, Commissioner, Walker County, Georgia; John A. Paul, Regional Air Pollution Control Agency, Dayton, Ohio, on behalf of the Association of Local Air Pollution Control Officials and the State and Territorial Air Pollution Program Administrators; Larry J. Gould, Lenawee County Board of Commissioners, Adrian, Michigan; Harry C. Alford, National Black Chamber of Commerce, Washington, D.C.; Conrad